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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 045054/0135

Applicant: Kenji NUMATA

Title: PROGRAM DEVELOPMENT METHOD, PROGRAM  
DEVELOPMENT APPARATUS, STORAGE MEDIUM STORING  
PROGRAM DEVELOPMENT PROGRAM AND PROGRAM  
DEVELOPMENT PROGRAM

Serial No.: 09/771,718

Filed: January 30, 2001

Examiner: Unassigned

Art Unit: 2122

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Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

### **CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

### **RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Korean Office Action that issued April 29, 2003 with respect to a counterpart Korean patent application is provided below.

"The gist of all claims of the present application is a method of developing programs installed in systems controlled in real time, such as compact disc players or image processors. However, the software development method described in Cited Invention 1 that does not require a sub-CPU board for testing--whereby a CPU board program is transferred to the CPU board after debugging with a personal computer's self-compiler and the CPU board is activated--and the art relating to the in-circuit emulator system described in Cited Invention 2--whereby emulation can be achieved by interfacing with a host computer target system input-output board dry board [sic]--are understood as being extremely similar to the objective and problem to be solved of the invention of the present application. Furthermore, the display device, digital signal processor, analog signal processor, system interface device and the like, which are the core constituent elements of the present

application, are presented in a manner extremely similar to Cited Inventions 1 and 2, which are thus extremely similar to the invention of the present application in terms of constitution and effect, with other differences in constitution being no more than matters of choice which could be selectively adopted as necessary by a person skilled in the art or easily achieved by simple circuit modification. In this connection, no difficulty of constitution is found, and thus the invention of the present application could have been easily invented by a person having ordinary knowledge in the relevant technical field. (D2

#### Attachments

Attachment 1 - Cited Invention 1: Japanese Unexamined Patent Application Publication H06-175844 (24 June 1994), 1 copy

Attachment 2 Cited Invention 2: Republic of Korea Registered Utility Model Publication 0076805 (27 Aug 1993), 1 copy"

Applicant's statements regarding the Korean Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Korean Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

19 June, 2003  
Date

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